

**FILED**

UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO**

JUN 25 2003

**STATE OF NEW MEXICO, *ex rel.*  
State Engineer**

**Plaintiff,**

**v.**

**RAMON ARAGON, *et al.*,**

**Defendants.**

*R. Horton March*  
CLERK

**69cv07941 JEC-ACE**

**RIO CHAMA STREAM SYSTEM  
Section 7: Tierra Amarilla,  
Rio Brazos, Rutherford & Plaza  
Blanca, Cañones Creek, Village of  
Chama**

**NEW MEXICO'S MOTION TO JOIN  
ADDITIONAL PARTIES DEFENDANT**

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:


1. The persons listed in Exhibit A attached hereto, including WILLIAM H. ALBERT et al, are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

2. The persons or entities listed in Exhibit A are in Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 7 of the Rio Chama

Stream System.

DATED: June 25, 2003

Respectfully submitted,

  
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(505) 827-6150

**CERTIFICATE OF SERVICE**

I certify that a copy of New Mexico's Motion to Join Additional Parties Defendant was mailed to the following persons on June 25, 2003.

  
Edward G. Newville

**RIO CHAMA SECTION 7 SERVICE LIST**

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NM Acequia Commission  
c/o Jessie Bopp  
Depart. of Finance & Admin.  
Local Government Division  
Bataan Memorial Building  
Santa Fe, NM 87503

## Attachment A

ALBERT, WILLIAM H.	P.O. BOX 457 CHAMA. NM 87520
ALCON, VERA	P.O. BOX 93 CHAMA, NM 87520
ARCHDIOCESE OF SANTA FE,	4000 ST. JOSEPH PLACE NW ALBUQUERQUE, NM 87120
BEASLEY, ANN	P.O. BOX 276 CHAMA. NM 87520
BEASLEY, O.C.	P.O. BOX 276 CHAMA, NM 87520
BOYD FAMILY REVOCABLE TRUST,	P.O. BOX 346 BLANCO, NM 87412
BRANCH, BENJAMIN F.	P.O. BOX 281 CHAMA, NM 87520
BRAZOS LAND, INC.,	P.O. BOX 245 CHAMA, NM 87520
BROWN, CELINE M.	2035 WILLIAMS RD. PLANT CITY, FL 33565
BROWN, ORRIN G.	2035 WILLIAMS RD. PLANT CITY, FL 33565
BUSH, JOHN	P.O. BOX 536 CHAMA, NM 87520
BUSH, VERLEEN	P.O. BOX 536 CHAMA. NM 87520
CHAMA INVESTMENTS, CO.,	125 LINCOLN AVE. SUITE 223 SANTA FE, NM 87501
CHAMA VALLEY SCHOOLS,	P.O. BOX 10 TIERRA AMARILLA. NM 87575
CLARK, SUSAN J.	P.O. BOX 240 CHAMA. NM 87520
CONDER, ANDREW JR.	6844 E. HARVARD AVE. DENVER, CO 80224
CONDER, JOHN	6844 E. HARVARD AVE. DENVER, CO 80224
CONDER, MIKE	6844 E. HARVARD AVE. DENVER, CO 80224
CONDER, PAUL	6844 E. HARVARD AVE. DENVER, CO 80224
CONDER, PETER	6844 E. HARVARD AVE. DENVER, CO 80224
CRANE, MARVIN R.	HC 75, BOX 48 CHAMA, NM 87520
CRANE, MARVIN R.	P.O. BOX 100563 FLORENCE, SC 29501
CRANE, SANDRA A.	HC 75, BOX 48 CHAMA, NM 87520
CRANE, SANDRA A.	P.O. BOX 100563 FLORENCE, SC 29501
CUMBRES TOLTEC SCENIC RR, CORP,	317 6th NW ALBUQUERQUE, NM 87102
DAGGETT, JEFF M.	P.O. BOX 497 CHAMA, NM 87520
DAGGETT, MAXINE F.	P.O. BOX 497 CHAMA, NM 87520
DEYAPP, ESTHER	P.O. BOX 741 CHAMA, NM 87520
DEYAPP, FRANCES S.	P.O. BOX 573 CHAMA. NM 87520
DEYAPP, HATTIE L.	P.O. BOX 537 CHAMA, NM 87520
DEYAPP, LARRY	P.O. BOX 741 CHAMA. NM 87520
DEYAPP, ROBERT M.	P.O. BOX 573 CHAMA, NM 87520
DOAN, ROBERT E.	13 NW 46TH STREET OKLAHOMA CITY, OK 73118
ELWESS, ALFRED T.	9 HATHAWAY CIRCLE LOS LUNAS, NM 87031
ELWESS, KAI MARIE	9 HATHAWAY CIRCLE LOS LUNAS, NM 87031
EMERY, ANGELA R.	P.O. BOX 734 CHAMA, NM 87520
EMPLOYEES' PENSION PLAN &. H & H MINERALS, INC., TRUST	P.O. BOX 107 FAIRFIELD, TX 75840
FISHER, DELLA	P.O. BOX 545 CHAMA. NM 87520

## Attachment A

FISHER, GEORGE	P.O. BOX 545 CHAMA, NM 87520
FISHER, JESSIE	P.O. BOX 487 CHAMA, NM 87520
FOERSTER, LESIA J.	13 NW 46TH STREET OKLAHOMA CITY, OK 73118
GALLEGOS FAMILY TRUST.	P.O. BOX 275 CHAMA, NM 87520
GALLEGOS, AURELIA	P.O. BOX 581 CHAMA, NM 87520
GALLEGOS, CRISTELLA M.	P.O. BOX 1 CHAMA, NM 87520
GALLEGOS, DONALD L. SR.	P.O. BOX 303 CHAMA, NM 87520
GALLEGOS, JOSE R.	P.O. BOX 581 CHAMA, NM 87520
GALLEGOS, MARTIN A.	P.O. BOX 1 CHAMA, NM 87520
GALLEGOS, MARY J.	P.O. BOX 303 CHAMA, NM 87520
GALLEGOS, NICKIE	P.O. BOX 275 CHAMA, NM 87520
GALLEGOS, ROBERT JR.	P.O. BOX 323 CHAMA, NM 87520
GARCIA, LYDIA J.	P.O. BOX 654 CHAMA, NM 87520
GARCIA, NAPOLEON R.	P.O. BOX 654 CHAMA, NM 87520
GARDENHIRE, RALEIGH	P.O. BOX 5080 SANTA FE, NM 87502
GONZALES, BRANDON	3501 EAST MAIN STREET FARMINGTON, NM 87401
GONZALES, CARMEN	P.O. BOX 344 CHAMA, NM 87520
GONZALES, FLORIAN	P.O. BOX 344 CHAMA, NM 87520
GONZALES, JESUS	3501 EAST MAIN STREET FARMINGTON, NM 87401
GONZALES, ROSALIE ANN	P.O. BOX 1062 ESPAÑOLA, NM 87532
GONZALES, ROXANNE M.	354 E. SACKEH AVE. SALIDA, CO 81201
GONZALES, SAM	3501 EAST MAIN STREET FARMINGTON, NM 87401
GONZALES, VICTORIA B.	P.O. BOX 340 CHAMA, NM 87520
GRAHAM, DONALD M.	RT. 1, BOX 47 CHAMA, NM 87520
GRAHAM, JANICE	RT. 1, BOX 47 CHAMA, NM 87520
GRAVES, SARAH ELIZABETH	P.O. BOX 1027 CHAMA, NM 87520
HALE, DR. PAT	7100 MENAUL NE ALBUQUERQUE, NM 87110
HARRIS, B.J.	P.O. BOX 774 CHAMA, NM 87520
HARRIS, ELIZABETH ANN	P.O. BOX 600 CHAMA, NM 87520
HARRIS, FAY L.	P.O. BOX 997 CHAMA, NM 87520
HARRIS, FLOYD	P.O. BOX 600 CHAMA, NM 87520
HARRIS, JOHN P.	P.O. BOX 997 CHAMA, NM 87520
HILER, FRED	P.O. BOX 688 MOUNTAIN HOME, ID 83647
HILER, JOHN	P.O. BOX 688 MOUNTAIN HOME, ID 83647
HOBBS, CHARLES C.	P.O. BOX 2277 MILAN, NM 87020
HOBBS, HELEN	P.O. BOX 2277 MILAN, NM 87020
HOMEcoming FINANCIAL NETWORK,	P.O. BOX 890037 DALLAS, TX 75389
HUGHES, CLIFTON M.	P.O. BOX 214 CHAMA, NM 87520
HUGHES, MILDRED	P.O. BOX 221 CHAMA, NM 87520

## Attachment A

HUGHES, OSCAR	P.O. BOX 221 CHAMA, NM 87520
JICARILLA APACHE NATION,	P.O. BOX 507 DULCE, NM 87528
JOHNSON, BONSALE D.	P.O. BOX 967 CHAMA, NM 87520
JOHNSON, WENDA L.	P.O. BOX 967 CHAMA, NM 87520
KISSAM, ROBERT R.	P.O. BOX 672 CHAMA, NM 87520
KNACKSTEDT, DAVON	P.O. BOX 890037 DALLAS, TX 75389
KNACKSTEDT, SHIRLEY	P.O. BOX 890037 DALLAS, TX 75389
LAWRENCE FAMILY, LLC,	11000 COSTA DEL SOL, NE ALBUQUERQUE, NM 87111
LUCERO, CELIA O.	P.O. BOX 724 CHAMA, NM 87520
LUCERO, JOSE SALOMON	4209 EL CONLAN AVE. LAS VEGAS, NV 89102
MARTIN, BETTY M.	P.O. BOX 654 CHAMA, NM 87520
MARTINEZ, GERALD G.	P.O. BOX 801 CHAMA, NM 87520
MARTINEZ, HIGINIO JR.	P.O. BOX 81 CHAMA, NM 87520
MARTINEZ, JOSE H.	P.O. BOX 683 CHAMA, NM 87520
MARTINEZ, MARIA MATHEWS	P.O. BOX 323 CHAMA, NM 87520
MARTINEZ, RENEE	P.O. BOX 351 CHAMA, NM 87520
MARTINEZ, ROSE Q.	P.O. BOX 194 CHAMA, NM 87520
MARTINEZ, TINA D.	P.O. BOX 801 CHAMA, NM 87520
MARTINEZ, VIRGINIA	P.O. BOX 81 CHAMA, NM 87520
MC ELHANEY, JAMES W.	2842 E. OVERLOOK RD. CLEVELAND, OH 44118
MC ELHANEY, MAXINE	2842 E. OVERLOOK RD. CLEVELAND, OH 44118
MESTON, JULIA A.	P.O. BOX 700 CHAMA, NM 87520
MESTON, RUSSELL D.	P.O. BOX 700 CHAMA, NM 87520
MILLER, JOHN L.	P.O. BOX 156 CHAMA, NM 87520
MILLER, MARY JEAN	P.O. BOX 156 CHAMA, NM 87520
MONTAÑO, MICHAEL	P.O. BOX 124 CHAMA, NM 87520
MONTAÑO, PEGGY	P.O. BOX 124 CHAMA, NM 87520
MONTAÑO, STEVE	P.O. BOX 124 CHAMA, NM 87520
MONTAÑO, STEVEN	P.O. BOX 124 CHAMA, NM 87520
MUNDY & MUNDY, INC.,	HC 75, BOX 81 CHAMA, NM 875209705
OVERLY LIVING TRUST, JUNE J.	4203 DAWN AVE. ODESSA, TX 79762
PACHECO, LORRAINE T.	P.O. BOX 414 CHAMA, NM 87520
PACHECO, RUBEN	P.O. BOX 414 CHAMA, NM 87520
PETTINGILL, AMY	P.O. BOX 885 CHAMA, NM 87520
PETTINGILL, RANDY	P.O. BOX 885 CHAMA, NM 87520
PHIPPS, LESHA	P.O. BOX 493 PAGOSA SPRINGS, CO 81157
PHIPPS, WARREN F.	P.O. BOX 493 PAGOSA SPRINGS, CO 81157
PORTER FAMILY TRUST,	P.O. BOX 394 CHAMA, NM 87520
QUINTANA, MANUEL	P.O. BOX 503 CHAMA, NM 87520

## Attachment A

QUINTANA, ROSABRA	P.O. BOX 503 CHAMA, NM 87520
RAEL, JOHNNY	P.O. BOX 453 CHAMA, NM 87520
RANCHO LOBO, LTD.,	P.O. BOX 6 CHAMA, NM 87520
REILLY SR., TRUSTEE, E.T.	9445 HILDBRANDT SAN ANTONIO, TX 78222
RIVAS, CONRAD L.	P.O. BOX 284 CHAMA, NM 87520
RIVAS, RAMON F.	P.O. BOX 634 CHAMA, NM 87520
ROBERSON, MICHAEL D.	P.O. BOX 541 CHAMA, NM 87520
RUSSOM, DAN	BOX 103 CHAMA, NM 87520
RUSSOM, MARY	BOX 103 CHAMA, NM 87520
SALAZAR, JOSE G.	P.O. BOX 593 ESPAÑOLA, NM 87532
SALAZAR, MARY	P.O. BOX 593 ESPAÑOLA, NM 87532
SANDOVAL, DAVID JOE SR.	P.O. BOX 404 CHAMA, NM 87520
SANDOVAL, LEVI A.	P.O. BOX 583 CHAMA, NM 87520
SANDOVAL, RUFINA GONZALES	P.O. BOX 583 CHAMA, NM 87520
SERNA, PATRICIA	P.O. BOX 1563 FLORENCE, SC 295010563
SERNA, RICHARD M.	P.O. BOX 1563 FLORENCE, SC 295010563
SHOATS, DANIEL D.	9626 4TH, NW ALBUQUERQUE, NM 87114
SHOATS, ELLEN J.	9626 4TH, NW ALBUQUERQUE, NM 87114
SKRONDAHL, VICTORIA L.	P.O. BOX 153 CHAMA, NM 87520
SMITH, JO MYRLE	P.O. BOX 281 CHAMA, NM 87520
SMITH, PERRY D.	P.O. BOX 281 CHAMA, NM 87520
SMITH, REVOCABLE TRUST, FLOYD E.	P.O. BOX 32 CHAMA, NM 87520
SWAG CORPORATION,	P.O. BOX 234 CHAMA, NM 87520
TERRAZAS, RANDY A.	HC 75, BOX 51 CHAMA, NM 87520
TORREZ TRUST, PEDRO & ROSE	#3 ROAD 5803 FARMINGTON, NM 87401
TORREZ, EMMA	P.O. BOX 66 CHAMA, NM 87520
TORREZ, JOSEPH VICENTE III	P.O. BOX 66 CHAMA, NM 87520
TORREZ, YVONNE	97 RANCH RD. WOODSIDE, CA 94062
TRUJILLO, DELFINO J.	P.O. BOX 233 CHAMA, NM 87520
TRUJILLO, JOSEFA	P.O. BOX 414 CHAMA, NM 87520
TRUJILLO, JUBENCIO	P.O. BOX 414 CHAMA, NM 87520
TRUJILLO, MARCELLA	P.O. BOX 614 CHAMA, NM 87520
TRUJILLO, PATRICIA C.	P.O. BOX 233 CHAMA, NM 87520
UNSER, AL JR.	6847 RIO GRANDE NW ALBUQUERQUE, NM 87107
UNSER, ALFRED	7625 CENTRAL NW ALBUQUERQUE, NM 87105
VALDEZ, ANGIE	P.O. BOX 733 CHAMA, NM 87520
VALDEZ, CARLOTTA	P.O. BOX 391 CHAMA, NM 87520
VALDEZ, DON	P.O. BOX 733 CHAMA, NM 87520
VALDEZ, MARGARET	P.O. BOX 431 CHAMA, NM 87520

## Attachment A

VALDEZ, MAXIMILIO	P.O. BOX 391 CHAMA, NM 87520
VALDEZ, TOMMY F. JR.	P.O. BOX 431 CHAMA, NM 87520
VIGIL FAMILY TRUST,	P.O. BOX 395 CHAMA, NM 87520
VIGIL, RAMON	P.O. BOX 734 CHAMA, NM 87520
VILLAGE OF CHAMA,	P.O. BOX 794 CHAMA, NM 87520
WASHINGTON MUTUAL HOME LOANS.	P.O. BOX 100563 FLORENCE, SC 29501
WELLS, ROBERT G.	P.O. BOX 55 CHAMA, NM 87520
WHITT, MRS. R.E.	P.O. BOX 688 MOUNTAIN HOME, ID 83647
WINDECK, SUSAN L.	P.O. BOX 672 CHAMA, NM 87520
WINTERS JUNCTION B & B,	3012 A. FRANCISCAN NE ALBUQUERQUE, NM 87107
WINTERS, RICHARDS M.	3012 A. FRANCISCAN NE ALBUQUERQUE, NM 87107
WOOLLEY REVOCABLE LIVING TRUST, JOHN C. & DOROTHY B.	P.O. BOX 430 SANTA FE, NM 87501
WOOLRIDGE, ANDREA	P.O. BOX 1533 CHAMA, NM 87520
WOOLRIDGE, KEVIN	P.O. BOX 1533 CHAMA, NM 87520
ZEMKE, F. RICHARD	7313 RIO GRANDE BLVD. NW ALBUQUERQUE, NM 87105
ZEMKE, PAULINE L.	7313 RIO GRANDE BLVD. NW ALBUQUERQUE, NM 87105